

appertaining to the town of Elk Park, and in and by that name may sue and be sued, plead and be impleaded, acquire and hold property, real and personal, for the use of the town, as its board of commissioners may deem necessary and expedient, not to exceed the value of one thousand dollars at the time of purchase.

SEC. 2. That the present mayor and commissioners and other officers of the town of Elk Park be and the same are hereby declared to be like officers with the powers and duties appertaining to the same until their successors are elected and qualified as hereinafter provided. Present officers.

SEC. 3. That the corporate limits of the town of Elk Park shall be and remain as they now are, that is to say, one-half mile in every direction from the depot of the Western North Carolina and East Tennessee Railroad. Corporate limits.

SEC. 4. That the officers of the town of Elk Park shall consist of a mayor and five commissioners, to be elected by ballot on the first Monday in May of each year; also a constable, secretary and treasurer, to be chosen by the board of commissioners immediately after its organization, to hold their office for one year or until their successors are elected and qualified; and it shall be the duty of the mayor to give notice of the election ten days previous thereto by posters written or printed and posted in at least three public places within the corporate limits of said town. And if the board of commissioners of said town shall fail or neglect to appoint inspectors, two resident citizens shall be appointed by the mayor, who, with the registrar, shall hold said election. Officers.
Election.

SEC. 5. That any qualified voter of this State shall be eligible as mayor and commissioner, and entitled to register and vote in the municipal election of said town: *Provided*, he shall have resided within the corporation for ninety days next preceding the day of election and shall be registered in the registration books of said town. Who eligible to
hold office and
vote.
Proviso.

SEC. 6. That on the day of election the inspectors shall attend at the place appointed and receive the ballots and conduct the election in all respects as required by law for the election of members of the General Assembly. The voters shall designate upon their ballots the persons voted for for mayor and the persons voted for for commissioners, otherwise the vote shall not be counted. Election, how
conducted.

SEC. 7. That at the close of the election the votes shall be counted by the inspectors and the result declared, and a copy of the returns, showing the number of votes cast for each person at the election, shall be made out and signed by the inspectors and transmitted to the mayor, and the persons elected shall be notified of their election by the inspectors. Canvass of vote.

SEC. 8. That if [among] the persons voted on for mayor there shall be an equal number of votes between any two having the largest number, the commissioners elected shall proceed, within five days The vote for
mayor.